

From: Ric
To: Microsoft ATR
Date: 11/22/01 10:50am
Subject: Re: Microsoft's Class action settlement, and Antitrust settlement

Good day !

Microsoft just can't ever seem to 'lose' anything that it's tried for. In it's 'CLASS ACTION' suit settlement, Microsoft has promised to 'GIVE' the poorest schools in the USA Free computers and software. How is this a punishment??? It is estimated that the settlement will 'cost' Microsoft \$1.1 Billion, and will benefit MILLIONS of students in the US. Firstly, the 'software' part of it will NOT cost Microsoft that much, as Microsoft's cost for software is "NOT" the RETAIL cost. Secondly, this is nothing more than Public Relations stunt, and Advertising for the company and it's products. What difference does it make that Microsoft spends \$1 Billion in it's ad campaigns for Windows XP (as Microsoft itself claims), or if it GIVES away it's products to millions of people. The net result of this is a continued propagation of it's products domination and exposure.

The Best possible response to this (and I have abosolutely NO invested interest in this company...) is Red Hat's offer to give all those schools FREE software. I HIGHLY suggest that some consideration be given to the idea that Microsoft use the 1.1 Billion to buy nothing but Hardware and allow ANY other software vendor to participate, if they are offering FREE software and tools. The very idea that Microsoft would 'give' as a function of it's financial penalties it's very own software does NOTHING less than help perpetuate the very monopoly that it currently holds.

I'd like to point out that the very fact that Microsoft AGREED to 'ANY' kind of settlement, would substantiate the fact that the proposed remedy/settlement could not possibly be a significantly serious punishment. Microsft is NOT stupid, and their army of lawyers will only agree to anything that will BENEFIT the company... At consumers and competitors expense.

In legal circles, as history would dictate, Microsoft has NEVER, ever agreed to any kind of remedy in its long history of offenses that would even remotely hinder the way it conducts business. And this new settlement continues this trend.

If anything, what has been learned in this entire antitrust case is, that if you are an entity that in itself has more financial muscle and endurance than even the government and the 19 states combined, you will eventually reach a point where your opponents will run out of money and 'steam'... As did the DOJ ! And the net result will be instead of a serious punishment being dealt, you will get a mere 'scolding'. And will

be able to continue your practices with MINIMAL intervention.

Although this idea (by the DOJ) was quickly disregarded, I think some credence should be given to the REMEDIAL idea that Microsoft should BE FORCED to release a version of Windows XP WITHOUT all the "UNWANTED" bundled software.

It is NOT FAIR to 'force' people to pay for features they will never use.

The idea of an oversight committee overseeing Microsoft's internal activities, is doomed to absolute failure.

Please do not take these concerns lightly, as the impact of the proposed settlements will greatly impact the technology industry as a whole, and consumers.

Thank you for hearing/reading my concerns!
...Ric...